

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

I & CAD Department – Suits – A.P.A.T. – O.A. No. 3965/04 & batch filed by Sri P. Rama Rao and other NMR workers - Implementation of orders issued in G.O. Ms. No. 223, I & CAD (Ser. V) Deptt. Dt. 27-12-2008 in respect of Sri P. Rama Rao, NMR worker, R.C. Mopidevi Section, Pulligadda, Vijayawada - Orders - Issued.

IRRIGATION & COMMAND AREA DEVELOPMENT (Ser. V) DEPARTMENT

G.O. Ms. No. 216

Dated: 16 -7-2009.

Read the following:-

- 1) G. O. Ms. No. 223 I & CAD (Ser. V) Deptt. Dt. 27-12-2008.
- 2) From the Engineer-in-Chief (IW), I & CAD Department, Hyderabad, Lr. No. ENC/IW/P&M/EE.3/W2/17423/2000, Dt. 8-4-2009.
- 3) G.O. Ms. No. 88 I & CAD (Ser. V) Department, Dt. 11-6-2009.
- 4) From the A.P.A.T. Order dt. 7-7-09 in C.A. No. 68/09 in O.A. No. 3965/04.

-X-X-X-X-

ORDER:-

In the reference 1st read above, orders were issued directing the Engineer-in-Chief, (IW), I & CAD Department, Hyderabad and the Collector, Krishna District to regularize the services of (8) NMR Workers viz., Sri P. Rama Rao and others (petitioners in O.A. No. 3965/04 and batch cases) working under the control of the Superintending Engineer, Irrigation Circle, Vijayawada against the posts proposed by the ENC (IW) in his letter dt. 23-12-08 in terms of G.O. Ms. No. 212, Finance (PC. III) Department Dt. 22-4-94 and Act 2/1994, Act 3/1998 and Act 27/1998 from the prospective date i.e., from the date of issue of orders by the competent appointing authority subject to condition that the post are regular and substantive and no senior person is overlook / omitted except Sri N. Veeraiah, NMR worker as he is not having the minimum requisite service of 5 years as on 25-11-93 as per the G.O. Ms. No. 212, Finance Deptt. dt. 22-4-1994.

2. In the reference 3rd read above, Government have cancelled the orders regularizing the services in respect of Sri P. Rama Rao, NMR worker, K.C. Canal Division, Vijayawada issued in the reference 1st read above for his involvement in a death case of his daughter-in-law vide FIR 563/2008, dt. 8-12-2008 subject to outcome of the Criminal case pending against him. The Engineer-in-Chief (IW), I & CAD Department, Hyderabad is further directed to terminate him from service by giving notice as per rules in force.

3. In the reference 4th read above, the Hon'ble A.P.A.T. in its order dt. 7-7-09 has observed / passed orders that:-

“In fact, the applicant has completed five years of service by 1988 and as per the proposals sent by the Engineer-in-Chief, he was fully eligible for regularization in any suitable post by 1988 itself. As per the orders of this Tribunal, the respondents are directed to regularize the services of the applicant and others and issue final orders in pursuance of G.O. Ms. NO. 223 dated 27-12-08, as they have completed five years and they fulfilled the conditions specified in G.O. Ms. No. 223. He is working since 1978 and he should have been regularized by 1988 itself, but the same was not done and subsequently by way of the orders of this Tribunal, G.O. was issued and the respondents now have taken a plea that in view of his involvement in Criminal case, his services cannot be regularized. The Respondents can take action against the applicant after implementing the orders of the Tribunal as per rules, if the so desire.

In the facts and circumstances it is clear that the respondents have not obeyed the orders of the Tribunal by taking the ground of his involvement in the criminal case. The Respondents are directed to implement the orders of the Tribunal by 21-7-09.

4. Government, after careful re-examination of the matter, and in super cession of the orders issued in the reference 3rd read above is hereby direct the Engineer-in-Chief (IW), I & CAD Department, Hyderabad to implement the orders issued in the reference 1st read above for regularization of services Sri P. Rama Rao, NMR worker, R.C. Mopidevi Section, Pulligadda as per orders of A.P.A.T. in O.A. No. 3965/04, dt. 19-12-2008 read with the orders of A.P.A.T. in the reference 4th read above.

5. He is further directed to take necessary action against the applicant after admitting him to duty, for his involvement in a criminal case under FIR/563/08, dt.8-12-08 as per orders of Hon'ble A.P.A.T. dt. 7-7-09 referred to in para 3 above as per rules in force and report compliance to Government within (2) days.

6. The Engineer-in-Chief (IW), I & CAD Department, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S. P. TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Engineer-in-Chief (IW), I & CAD Department,
Jalasoudha Buildings, Errammanzil, Hyderabad.
Copy to: The Superintending Engineer, Irrigation Circle, Vijayawada.
SF.

// FORWARDED :: BY ORDER //

SECTION OFFICER.